

26.08.2022
Court No.13
Item No.21
AP

**WPA 2961 of 2013
With
IA NO: CAN 1 of 2021
With
CAN 2 of 2021**

**Basudeb Bhattacharyya
Vs.
District Inspector of Schools (S.E.), Burdwan & Ors.**

Ms. Lipika Nath

... For the Petitioner.

Re.: CAN 2 of 2021

CAN 2 of 2021 has been filed seeking condonation of delay in filing CAN 1 of 2021.

For the reasons stated in the application, the same is allowed. Delay in filing of the CAN 1 of 2021 is condoned.

Accordingly, CAN 2 of 2021 is allowed and disposed of.

Re. CAN 1 of 2021

Sufficient grounds are available to explain the absence of the writ petitioner on 27th November 2018.

The order dated 27th November 2018 is recalled. The writ petition is hence restored to its original file and number.

Accordingly, CAN 1 of 2021 is allowed and disposed of.

Re.: WPA 2961 of 2013

The petitioner seeks review and/or reconsideration of the order dated 12th September 2012 passed by the District Inspector of Schools (SE), Burdwan. In the said order the petitioner's prayer for higher scale of pay on acquiring postgraduate degree in English in 1995 has been declined.

It is found that the petitioner has passed the M.A. in English Examination with Magadh University, Bodh Gaya, Bihar in the year 1995. The petitioner undertook a regular day attendance full time course. Yet only leave was applied for and sanctioned by the Board for the period of 17th January 1995 to 16th February 1995.

The petitioner could not have attended the course for a regular MA for the period of two years while in service with leave of only about a month from his employer school.

This Court, therefore, finds absolutely no infirmity in the order of District Inspector of Schools (SE), Burdwan rejecting the petitioner's prayer for higher qualification. The circumstances under which the petitioner obtained the postgraduate degree in English are wholly suspect.

Hence, the writ petition fails and hereby dismissed.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)